

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 5755 and MUR 5440
NDN Political Fund (f/k/a New)
Democrat Network - Non-Federal)
Account) (f/k/a New Democrat)
Network))

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on November 14, 2007, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions in MURs 5755 and 5440:

1. In MUR 5755, take no further action with respect to NDN Political Fund, formerly known as New Democrat Network and New Democrat Network - Non-Federal Account; New Democrat Network - PAC; New Democrat Network, the inactive Federal Account registered as Committee ID C00319772; and Simon Rosenberg, in his official capacity as treasurer of both committees and close the file.
2. In MUR 5440, find no reason to believe that New Democrat Network and Simon Rosenberg, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(a)(1) by making and failing to report excessive contributions in the form of coordinated communications to John Kerry for President, Inc. and Robert Farmer, in his official capacity as treasurer.
3. In MUR 5440, find no reason to believe that New Democrat Network and Simon Rosenberg, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(a)(1) by making and failing to report excessive contributions in the form of coordinated communications to DNC Services Corporation/Democratic National Committee and Andrew Tobias, in his official capacity as treasurer.
4. In MUR 5440, find no reason to believe that the DNC Services Corporation/Democratic National Committee and Andrew Tobias, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f) by knowingly accepting and failing to report excessive contributions in the form of coordinated communications from New Democrat Network and Simon Rosenberg, in his official capacity as treasurer.

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5. In MUR 5440, close to file as to New Democrat Network and Simon Rosenberg, in his official capacity as treasurer.
6. In MUR 5440, approve the Factual and Legal Analysis for the DNC Services Corporation/Democratic National Committee and Andrew Tobias, in his official capacity as treasurer, as recommended in the General Counsel's Report dated October 15, 2007.
7. In MURs 5755 and 5440, instruct the Office of General Counsel to draft a revised Factual and Legal Analysis as to the New Democrat Network and circulate for Commission approval on a tally vote basis.
8. Approve the appropriate letters.

Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

Attest:

November 15, 2007
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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